

REMARKS

The suggestion apparently is made that because the cited reference to Fiordelisi teaches broadly exchanging messages of any nature and form, he teaches a more specific requirement that the message be exchanged between the carts themselves. The problem is that in the patent law, a general disclosure is not sufficient to teach a more specific disclosure. The fact is, neither Jelen nor Fiordelisi thought of enabling the carts to communicate with one another. If someday carts communicate with one another in supermarkets, Jelen and Fiordelisi would remark to one another, "gee, I wish I had thought of that."

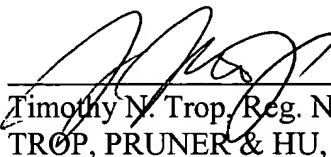
The argument that the general can anticipate the specific is contrary to well accepted patent law. For example, suppose someone invented the gas light and then wrote that what I want to disclose is generating light in any way, any form, hereafter. If the rule were that the general anticipated the specific, Edison would not have been able to get a patent on the electric light bulb because an office action would have been issued saying, no, a prior inventor suggested that light could be formed in any way and, therefore, you cannot now get a patent on a specific way of actually generating light.

Similarly, the disclosure that messages could be sent in any possible way does not teach the more specific concept, never contemplated in the prior art, that the shopping carts would and could communicate with one another. This involves a creation of an avenue of communication and interactivity never contemplated by any of the cited references.

Therefore, patentability should be assured and reconsideration would be appropriate.

Respectfully submitted,

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